

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/718,667 <b>Examiner</b>	STENSTROM ET AL. <b>Art Unit</b>	
	Khanh Tran	2631	

**— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to filed on 09/22/2004.
2.  The allowed claim(s) is/are 1-12 and 15-16, in which claims 15-16 are renumbered as claims 13-14.
3.  The drawings filed on 11/22/2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|--|

1. The Amendment filed on 09/22/2004 has been entered. Claims 1-12 and 15-16 are pending in this Office action.
2. Claims 15-16 have been renumbered as claims 13-14.

***Response to Arguments***

3. Applicant's arguments, see page 7 under Applicant's Remarks, filed on 09/22/2004, with respect to claims 9-11 have been fully considered and are persuasive. The rejection of claims 9-11 under 112, 2<sup>nd</sup> paragraph, has been withdrawn after claims have been amended.

4. Applicant's arguments, see pages 7-8, filed on 09/22/2004, with respect to claim 12 have been fully considered and are persuasive. The rejection of claim 12 under has been withdrawn after claim has been amended to include allowable features.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

5. Regarding claim 1, claim 1 is directed to a digital communication receiver. The claim is allowed over the prior art of record because the cited prior art of record, US Patent 5,537,438 and US Patent 6,466,616 B1, either singularly or in combination, does

not teach or suggest the claimed features "wherein the controller is adapted to receive channel quality indicative data associated with an output from the equalizer, to determine whether the channel quality indicative data fail to meet a predetermined criterion, and, if so, to supply an enabling control signal to the channel tracker" and "wherein the enabling control signal is adapted to switch the channel tracker from a disabled state, in which disabled state no channel tracker within the digital communication receiver is enabled, to an enabled state, in which enabled state the updated channel estimate is produced".

6. Regarding claim 7, claim 7 is directed to a digital communication receiver. The claim is allowed over the prior art of record because the cited prior art of record, US Patent 5,537,438 and US Patent 6,466,616 B1, either singularly or in combination, does not teach or suggest the claimed uniquely distinct features "wherein the controller is adapted to compare the updated channel estimate with an initial channel estimate and to supply a disabling control signal to the channel tracker, if the comparison indicates a difference smaller than a predetermined criterion" and "wherein the disabling control signal is adapted to switch the channel tracker from an enabled state, in which enabled state the updated channel estimate is produced, to a disabled state, in which disabled state no updated channel estimate is produced".

7. Regarding claim 12, claim 12 has been amended to include allowable features. The claim is allowed over the prior art of record because the cited prior art of

record, US Patent 5,537,438 and US Patent 6,466,616 B1, either singularly or in combination, does not teach or suggest the claimed uniquely distinct features "producing channel quality indicative data as additional channel estimates based on the decided symbols" and "wherein the predetermined criterion is a degree of correspondence between the additional channel estimates and an initial channel estimate" and "conditionally, if the predetermined criterion is not met, switching a channel tracker from a disabled state, in which disabled state no channel tracker within the digital communication receiver is enabled, to an enabled state, in which enabled state an updated channel estimate is produced from the received signal and the sequence of decided symbols".

8. Regarding claim 15, claim 15 is directed to a method of operating a digital communication receiver. The claim is allowed over the prior art of record because the cited prior art of record, US Patent 5,537,438 and US Patent 6,466,616 B1, either singularly or in combination, does not teach or suggest the claimed uniquely distinct features "b) comparing the updated channel estimate with an initial channel estimate" and "c) conditionally, if the comparison indicates a difference smaller than a predetermined criterion, switching a channel tracker from an enabled state in which enabled state an updated channel estimate is produced from the received signal and the sequence of decided symbols, to a disabled state, in which disabled no channel tracker within the digital communication receiver is enabled".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KCT

A handwritten signature consisting of several loops and swirls, appearing to read "T. SALVATORE BOOCHE". Overlaid on the signature is a rectangular box containing the text "TELETYPE EXAMINER".

TELETYPE EXAMINER  
T. SALVATORE BOOCHE